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August 1, 2023

Hon. Louis L. Stanton
 United States District Court- Southern District of New York
 500 Pearl Street
 New York, NY 10007

Re: Biberman v. Robinson, 21 Civ. 4862 (LLS)

Dear Judge Stanton:

This letter is submitted in joint request of plaintiff and defendant to extend the date for submission of the pretrial order presently due August 15, to October 5, 2023, and correspondingly to reschedule the final pretrial conference, now scheduled for August 18, 2023. These August pretrial dates were set when the discovery cutoff date was June 15, before the discovery cutoff was extended to August 1, 2023. We have conducted party depositions this past month, including most recently the deposition of defendant's lead security guard this past week on July 25, for which the deposition transcript is not yet available. Post-deposition documentary discovery has also continued (with a production still forthcoming from defendant, as is defendant's doctor's physical exam of plaintiff). Under the circumstances, both sides would benefit from an extension of time for submission of the pretrial order.

In addition, the parties have agreed to commercial mediation and are in the process of selecting a mutually agreed mediator to schedule such a mediation. The initiation of settlement talks and plan to mediate ahead of the submission of the pretrial order and the pretrial conference advances prospects of reducing time and expense to be incurred by the parties and the Court.

For these reasons, the parties mutually request that the date for submission of the pre-trial order be extended from August 15 and that the pretrial conference scheduled for August 18 be adjourned.

to Oct. 5 Respectfully submitted,

/s/ Zena Eldada /

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/s/ Stanley K. Shapiro /

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*It is adjourned
 to October 6, 2023
 at 2:30 PM.*

*So ~~Ordered~~ Ordered
 Louis L. Stanton
 8/1/23*